



Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. of Altman, Peter A. Art Unit.: 3739
Serial No.: 10/014,445 Examiner: Lee S. Cohen
Filed: December 11, 2001 Atty Docket No.: 23,403-05
Reissue of: U.S. Patent No. 5,551,427
For: Implantable Device for Penetrating and Delivering Agents to Cardiac Tissue

REPLY TO FINAL ACTION

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Final Action dated November 23, 2005, enclosed herewith is a Supplemental Declaration, signed by Peter A. Altman as the applicant.

REMARKS

Claims 27, 33-37, 56, and 57 have been rejected under 35 U.S.C. § 251 as being based upon a defective reissue oath or declaration.

In the Amendment filed November 4, 2005 (November 2005 Amendment), the aforementioned claims were amended, either directly (Claims 27, 37 and 56) or by virtue of their dependency on Amended Claim 27 (Claims 33-36). The accompanying Supplemental Declaration specifically refers to the November 2005 Amendment, and thus covers those errors which have been corrected in the present reissue application and not covered by any prior oath or declaration. Accordingly, it is submitted that the aforementioned claims now fully comply with 35 U.S.C. § 251.